IN THE HIGH COURT OF JUDICATURE AT BOBBY

CIVIL APPELLATE JURISDICTION

WRIT PETITION No.6049 OF 2006

Hanumant Y. Vibhute & Anr. Petitioner

Vs.

The State of Maharashtra & Ors. Respondents

Mr.G. H. Suvagave, Advocate for the petitioner.

Mr. C.G. Gavankar, Advocate for Respondent no.2.

Mr.C. R. Sonawane, AGP for Respondent No.1, 3 & 4.

CORAM: F.I. REBELLO,
AND
R. V. MORE, JJ.

DATE : JANUARY 15, 2007.

P.C.

. This petition was filed by the two petitioners, challanging selection to the posts in the office of Zilla Parishad, Raigad. The grievance of the petitioner is that at the time of written examination, some of the persons who supervised the examination, were relatives of some of the candidates. It is not the allegation of the petitioner that any relative of the candidates corrected the papers of the written examination.

Petitioner no.1 has been selected and appoint to the post of Junior Assistant in the same examination and consequently, no grievance survives in so far as petitioner No.1 is concerned.

2. Petitioner no.2 had applied for the post from reserved woman category where some other candidate has been selected. The only allegation of petitioner no.2 is that though petitioner no.2 secured more marks at written examination, the selected candidate on account of relationship, with those who conducted oral examination, secured more marks and thus, she was selected instead of the petitioner.

3. A reply has been filed on behalf of respondent no.2. In the reply, it is pointed out that viva-voce test was conducted by the Committee, consisting of the District Collector, the Dy. Chief Officer of the Zilla Parishad alongwith other senior officers, who were on the panel. Respondent no.2 submited that candidates have been selected on the basis of merit list, and the allegation of petitioner no.2 are too vague to be considered. The name of petitioner no.2 did not figure in the

merit list. It was the duty of the petitioner no.2 in case of allegation of bias to point out as who was the officer related to the selected candidate. There is no such averment. Mere bold allegations cannot be the basis of this court to interfere in the selection process, duly conducted under the Rules.

4. We therefore, do not find this to be a fit case where we should interfere in the exercise of extra ordinary jurisdiction. Hence, petition is rejected.

[**R.V. MORE,J.]** [**F. I. REBELLO, J.]**